IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 14TH MARCH 2007 / 23RD PHALGUNA 1928

Bail Appl..No. 1479 of 2007()

CRIME NO.4/1998 OF KALPAKANCHERY POLICE STATION

PETITIONERS/2ND ACCUSED

VALIYAKANDATHIL ASSAINAR,
S/O. KUNHIMOIDEEN, KURUKATHANI,
KALPAKANCHERY, TIRUR, MALAPPURAM DISTRICT.

BY ADV. SRIC.M.MOHAMMED IQUABAL

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 14/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V.RAMKUMAR, J.

Bail Application No. 1479/2007

Dated this 14th day of March, 2007

O R D E R

The petitioner who is the first accused in Crime No.4/1998 of Kalpakanchery Police Station for offences punishable under Sections 447, 449 and 506(ii) IPC read with Section 34 IPC, seeks anticipatory bail.

2. Consequent on the non appearance of the petitioner in C.C.No.1082/2001 on the file of the J.F.C.M-II, Tirur, non bailable warrants of arrest are pending against the petitioner.

3. Such being the position, I am not inclined to nullify the process issued by a court of competent jurisdiction by granting anticipatory bail. There is no reason why the petitioner should not surrender before the Magistrate and seek regular bail.

4. Accordingly, if the petitioner surrenders before the Magistrate and files an application for regular bail within two weeks from today, the same shall be considered and disposed of, preferably on the same day on which it is filed.

The application is disposed of as above.

V.RAMKUMAR,
JUDGE

mrcs